

REMARKS

Claims 34-43 are pending. Claims 34-43 were rejected. By virtue of this response, claims 34, 35, and 38-41 have been amended. Accordingly, claims 34-43 are currently under consideration.

Claim Rejections under 35 USC §101

Claims 34-37 are rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter.

A process is patent-eligible if it is tied to a particular machine or apparatus or transforms a particular article into a different state or thing. (*In re Bilski*, 88 USPQ 2d 1385, 1396 (Fed Cir. 2008).) Applicant submits that claims 34 and 35, as amended, are tied to a particular machine, a (voice browser) computer system. Applicant also maintains that claim 35 transforms data representing a tangible object, specifically an audio segment derived from an audio source.

Claim 34 has been amended to recite:

A computer system for enabling a voice browser to render an audio segment . . . comprising:

a processor;

a prompt mapping configuration . . . adapting the processor to specify a first text string having occurrences in multiple prompt classes; and

a prompt audio object, which, in response to receiving the document, adapts the processor to use the contextual information . . .

(Emphasis added.)

Claim 35 has been amended to recite:

A computer-implemented method for enabling a voice browser computer system to render an audio segment . . . the voice browser computer system including a processor, the method comprising:

using the contextual information to cause the processor to identify a prompt class of audio segments . . .

identifying an audio segment identifier by causing the processor to search only within the identified prompt class . . .

causing the processor to render the audio segment as audio.

(Emphasis added.)

For support, see, for example, Figure 11 and paragraph 0084 describing a computer system for implementing the voice browser 101.

Applicant maintains the position that the method of claim 35 transforms data representing a tangible object, specifically an audio segment derived from an audio source. The transformation of data that represents physical and tangible objects is a sufficient transformation to be patentable subject matter. (Bilski at 1397 (citing *In re Abele*, 684 F.2d 902, 908 (CCPA 1982)), emphasis added.) Claim 35 recites, “enabling a voice browser computer system to render an audio segment derived from an audio source.” The specification states:

The audio rendered to a user often comes from various sources, such as, for example, audio advertisements recorded by sponsors, audio data collected by broadcast groups, and text to speech generated audio.

Paragraph [0005].

Thus, an audio segment derived from audio source represents a tangible object, such as a sound or segment of human speech. Because claim 35 describes a method of rendering an audio segment, derived from an audio source, it transforms data which represents a tangible object. Therefore, Applicant maintains that, for at least these reasons, claim 35 is directed to statutory subject matter.

Accordingly, Applicant submits claims 34 and 35 are tied to a particular machine. Applicant further submits that claims 35-37 transform data which represents a tangible object. Therefore, Applicant asserts that claim 34-37 recite statutory subject matter, and respectfully requests that the § 101 rejections be withdrawn.

Claim Rejections under 35 USC §103, Ladd in View of Malsheen

Claims 34-35, 37-38, and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd et al. (U.S. Patent No. 6,269,336, “Ladd”) in view of Malsheen et al. (U.S. Patent No. 5,634,084, “Malsheen”).

Applicant submits that Ladd and Malsheen, alone or in combination, do not disclose or suggest a system that determines a prompt class and “match[es] a text string from the document received by the voice browser to one of the plurality of occurrences of the at least one text string by searching only within the prompt class,” as recited in claim 34.

Ladd describes a dialog interface in which users respond to prompts delivered by the interactive service. (Ladd, abstract.) For example, Ladd states, “[t]he PROMPT element of the markup language (i.e., <PROMPT text <PROMPT>) is used to define content (i.e., text or an audio file) that is to be presented to the user.” (*Id.*, 18:33-36.) Ladd further describes, “the STEP elements define states within a DIALOG element.” (*Id.*, 16:45-46.) “When the voice browser interprets the markup language document, the voice browser will navigate through the DIALOG element to different STEP elements as a result of the user’s responses.” (*Id.*, 16:54-57, emphasis added.) Thus, it appears that Ladd describes a system that delivers prompts in a different sequence depending on user input.

Applicant submits that Ladd does not disclose or suggest “a plurality of occurrences of the at least one text string, and a one-to-one association between each of the occurrences and a corresponding audio segment identifier,” as recited in claim 34. For example, in Ladd, a given text string appears to have only a single audio representation. Ladd describes, “The STEP element has a single PROMPT element that will be read to the user via the text-to-speech unit.” (Ladd, 17:62-64.) Ladd further describes, “[t]he PROMPT element of the markup language (i.e., <PROMPT> text </PROMPT>) is used to define content (i.e., text or an audio file) that is to be presented to the user.” (*Id.*, 18:33-39, emphasis added.) In fact, the Examiner cedes “Ladd does not explicitly teach a prompt mapping configuration having a plurality of occurrences of the same text strings, wherein each of the occurrences of each text string are associated with a prompt class and corresponding audio segment identifier” (Office Action Response, page 7.) Thus, Ladd cannot determine a prompt class and match a text string to “one of a plurality of occurrences of the at least one text string, by searching only within the prompt class,” as recited in claim 34.

Furthermore, Malsheen does not remedy deficiencies in the Ladd disclosure. Malsheen describes a text to speech synthesizer “for converting a text message into an audio representation.”

(Malsheen, 2:62-65.) Malsheen describes a translation table including three fields for each entry: "keyword, expansion value, rule type." (*Id.*, 7:66-8:1.) For example, Malsheen describes:

Another example of multiple entries in table 148 for a single abbreviation value is:
mo, Missouri, state
mo, Monday, weekday
mo, month, measure

(*Id.*, 8:26-30.)

In Malsheen, to determine the proper expansion of the abbreviation "mo.," the system must evaluate each rule type to determine if an expansion is appropriate. For example, Malsheen describes,

where the "state" rule indicates that "mo" should be expanded to "Missouri" if (a) immediately followed by a 5-digit or 9-digit integer, (b) immediately preceded by a city name in Missouri, (c) abbreviated by period and followed immediately by a lower case word (i.e., for which ILC is equal to "yes"), or (d) known to be part of an address.

(*Id.*, 8:31-36.)

If the rule is not satisfied for the first entry in the table, then the rule for the next entry is evaluated and the process is repeated until a rule is satisfied. (*Id.*, 8:31-54.) However, Malsheen does not determine a prompt class so that a voice browser can "match a text string from the document received by the voice browser to one of the plurality of occurrences of the at least one text string by searching only within the prompt class," as recited in claim 34.

Because Ladd and Malsheen, alone or combined, do not teach or suggest all the limitations recited in claim 34, the references do not render the claim obvious. Furthermore, independent claims 35, 41 and 42 recite similar limitations to those discussed with respect to claim 34. Thus independent claims 35, 41 and 42 are also not rendered obvious by Ladd and Malsheen, for at least the reasons stated above with respect to claim 34.

Accordingly, Applicant respectfully requests that the rejection of claims 34-35, 37-38, and 40-43 be withdrawn and that the claims be allowed.

Claim Rejections under 35 USC §103, Ladd in View of Malsheen, in Further View of Saylor

Claims 36 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd in view of Malsheen and further in view of Saylor et al. (U.S. Patent: 6,501,832, “Saylor”).

Saylor generally describes a system for presenting stored audio content (associated with a VCode) to users entering a VCode (or description associated with the VCode). (Saylor, abstract.) Saylor does not remedy deficiencies in the Ladd and Malsheen reference. Specifically, Saylor does not disclose or suggest a system that identifies a prompt class “associating an audio segment identifier unique across the prompt classes with a reference text string unique within the class,” as recited in claim 35.

Additionally, Applicant submits that claims 36 and 39 are allowable for at least the reason that they depend from allowable claim 35. Applicant respectfully requests that the rejection of claims 36 and 39 be withdrawn and the claims be allowed.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 324212009600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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